

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK NOONAN, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	
KATHLEEN KANE, et al.	:	NO. 15-6082

ORDER

And now, this 29th day of March, 2018, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) the motion of defendant Kathleen Kane to dismiss the First Amended Complaint for failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure on the ground that she is entitled to qualified immunity (Doc. # 29) is GRANTED in part and DENIED in part;

(2) Count One alleged by plaintiff Frank Fina against defendant Kathleen Kane is DISMISSED;

(3) Count Four alleged by plaintiffs Frank Fina, Richard A. Sheetz, Jr., Randy Feathers, and Frank Noonan against defendant Kathleen Kane is DISMISSED;

(4) Count Five alleged by plaintiffs Frank Fina, Richard A. Sheetz, Jr., Randy Feathers, and Frank Noonan against defendant Kathleen Kane is DISMISSED;

(5) the motion of defendant Kathleen Kane is otherwise DENIED; and

(6) the motion of defendant Michael Miletto to dismiss Count Three of the First Amended Complaint for Failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure on the ground that he is entitled to qualified immunity (Doc. # 30) is DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.